IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

Bail Appl..No. 7632 of 2006()

CMP.6807/2006 of J.M.F.C.,KASARAGOD
CR.NO.28/06 OF BADIADKA EXCISE RANGE.

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: PETITIONER/ACCUSED

PREMANATHA, AGED 23 YEARS,
S/O.KRISHNAN, PELAMARUVA,
URDOOR POST, ADOOR VILLAGE,
KASARAGOD TALUK, KASARAGOD DISTRICT.

BY ADV. SRI.K.P.HARISH

RESPONDENTS: COMPLAINANT AND STATE

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1. STATE,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE RANGE INSPECTOR,
(CRIME NO.28 OF 2006 OF
BADIADKA EXCISE RANGE), KASARAGOD DISTRICT.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7632 OF 2006

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DATED THIS THE 12th DAY OF JANUARY, 2007

O R D E R

Petitioner who is the accused in C.R.No.28/06 of Badiadka Excise Range for an offence punishable under section 55(a) of the Abkari Act for allegedly having been found in possession of 60 packets, each of 100 ml, of Karnataka arrack on 12.12.2006, seeks his enlargement on bail. He was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties (who can be the same sureties while the petitioner was released on interim bail for attending his brother's marriage) each for the like amount to the satisfaction of the J.F.C.M.-I, Kasargod and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn